

7/29/2009

68-O-09

AN ORDINANCE

**Enacting a New Subsection 6-4-8-3(A)6 of the Zoning Ordinance,
“Portable Outdoor Moving Containers”**

WHEREAS, on April 15, 2009, June 17, 2009, and July 8, 2009, the Plan Commission held public hearings, pursuant to proper notice, regarding case number ZPC 09-PLND-0014 (B-7) to consider an amendment to the text of Title 6 of the Evanston City Code of 1979, as amended (the “Zoning Ordinance”), specifically to Subsection 6-4-8-3 (A) to permit portable outdoor moving containers as temporary uses in residential zoning districts; and

WHEREAS, the Plan Commission received testimony and made *verbatim* transcripts and findings pursuant to Section 6-3-4-5 of the Zoning Ordinance that the proposed amendments met the standards for text amendments, and recommended City Council approval thereof; and

WHEREAS, at its meeting of September 14, 2009, the Planning and Development Committee of the City Council considered and adopted the findings and recommendation of the Plan Commission, in case number 09-PLND-0014 (B-7) and recommended City Council approval thereof; and

WHEREAS, at its meeting of September 29, 2009, the City Council considered and adopted the records and recommendations of the Plan Commission and the Planning and Development Committee,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That the foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: That Subsection 6-4-8-3(A) of the Zoning Ordinance is hereby amended to include a new Subsection 6 to read as follows:

6. Portable Outdoor Moving Containers: Portable Outdoor Moving Containers shall be allowed for no more than twenty-one (21) days.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That if any provision of this Ordinance 68-O-09 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: That this Ordinance 68-O-09 shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: September 14, 2009


Adopted: September 29, 2009

Approved:

September 30, 2009


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


Elke B. Tober-Purze, Interim
First Assistant Corporation Counsel